IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2228 of 2007()

CRIME NO. 478 OF 2006 OF KANNUR POLICE STATION

PETITIONERS/ACCUSED 1 & 3
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1. P.P.ABDUL RAHEEM, S/O.AHAMMEDKUNHI,
AGED 55, MANAGING PARTNER, STEEL LEX,
SOUTH BAZAR, KANNUR, RESIDING AT `AL REHUM',
PERINGADI, NEW MAHE.

2. P.P.HAMEED, S/O.AHAMMEDKUNHI,
AGED 50, RESIDING AT ZEENATH MAHAL,
THAYATHERU, KANNUR.

BY ADV. SRI.MILLU DANDAPANI

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
SUB INSPECTOR OF POLICE, KANNUR TOWN POLICE
STATION, KANNUR, REPRESENTED BY THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application No. 2228 of 2007

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DATED: 12-04-2007

O R D E R

Petitioners who are accused Nos. 1 and 3 in Crime No. 478 of 2006 of Kannur Town Police Station for offences punishable under Sections 406 and 420 read with Sec. 34 I.P.C., seek anticipatory bail.

2. The case of the prosecution is that as per sale deed dated 8-8-2006 the accused persons agreed to sell their property having an extent of 22 cents to the de facto complainant for a consideration of Rs. 3,40,000/- and after receiving the amount they failed to register the document or to return the amount.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only)

with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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